

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David LAM et al.

Confirmation No.: 7769

Application No.: 09/914,543

Art Unit: 1652

Filed: (Intl.) May 22, 1997

Examiner:
Ganapathiram Raghu, Ph.D.

For: ENDOGLUCANASES

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has an error in the priority claim.

Under Domestic Priority data as claimed by applicant, the language should be changed to read:

THIS APPLICATION IS A 371 OF PCT/US97/08793 05/22/1997

--PCT/US97/08793 is a CIP of 08/651,572, filed 05/22/1996--

A copy of the Filing Receipt received by the Applicant with the requested changes noted in red-ink, a copy of the Declaration for Patent Application as filed, and a copy of the face sheet of PCT Publication WO/ 97/44361 are enclosed. Please refer to the Declaration and Publication for verification of the correct data.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: February 5, 2008

Respectfully submitted,

Electronic signature: /Gregory P. Einhorn/
Gregory P. Einhorn
Registration No.: 38,440
MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040
(858) 720-5133

COPY

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ENDOGLUCANASES, the specification of which

_____ is attached hereto.

 X was filed on April 18, 2001 as U.S. Application Serial No. 09/914,543 (the "Application") (Docket No. DIVER1150-5

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the

Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
--------------------------	---------------	--

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED
<u>US</u>	<u>PCT/US97/08793</u>	<u>May 22, 1997</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: David E. Lam

Inventor's signature: 

Date: 1/14/2002

Residence: Carlsbad, California

Citizenship: USA

Post Office Address: 3261 Avenida Anacapa
Carlsbad, California 92009

Full name of second inventor: Eric J. Mathur

Inventor's signature: 

Date: 1/16/01

Residence: Carlsbad, California

Citizenship: USA

Post Office Address: 2654 Galicia Way
Carlsbad, California 92009

PCTWORLD INTELLECTUAL PROPERTY ORGANIZATION
International Bureau**COPY**

INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁶ : C07K 16/40, C12N 1/21, 5/10, 9/42, 15/56, 15/63, C12P 21/02, C12S 3/02	A1	(11) International Publication Number: WO 97/44361 (43) International Publication Date: 27 November 1997 (27.11.97)
(21) International Application Number: PCT/US97/08793 (22) International Filing Date: 22 May 1997 (22.05.97) (30) Priority Data: 08/651,572 22 May 1996 (22.05.96) US (60) Parent Application or Grant (63) Related by Continuation US 08/651,572 (CIP) Filed on 22 May 1996 (22.05.96) (71) Applicant (for all designated States except US): RECOMBI- NANT BIOCATALYSIS, INC. [US/US]; 505 West Coast Boulevard, La Jolla, CA 92037 (US). (72) Inventors; and (75) Inventors/Applicants (for US only): LAM, David, E. [US/US]; 1518 West 249th Street, Harbor City, CA 90710 (US). MATHUR, Eric, J. [US/US]; 2654 Galicia Way, Carlsbad, CA 92009 (US). (74) Agent: HAILE, Lisa, A.; Fish & Richardson P.C., Suite 1400, 4225 Executive Square, La Jolla, CA 92037 (US).	(81) Designated States: AU, CA, IL, JP, US, European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE). Published * <i>With international search report. Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i>	
(54) Title: ENDOGLUCANASES		
(57) Abstract <p>The invention provides a purified thermostable enzyme derived from the archaeal bacterium AEPII1a. The enzyme has a molecular weight of about 60.9 kilodaltons and has cellulase activity (SEQ ID NO:2). The enzyme can be produced from native or recombinant host cells and can be used to aid in the digestion of cellulose where desired. Also included are other endoglucanases having homology to SEQ ID NO:2.</p>		



UNITED STATES PATENT AND TRADEMARK OFFICE

09010/ 007031
DIVER1150-5
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/914,543	01/17/2002	1632	495		21	16	3

CONFIRMATION NO. 7769

REPLACEMENT FILING RECEIPT



OC00000008179601

28213
GARY CARY WARE & FRIENDENRICH LLP
4365 EXECUTIVE DRIVE
SUITE 1600
SAN DIEGO, CA 92121-2189

Date Mailed: 05/23/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David E. Lam, Carlsbad, CA;
Eric J. Mathur, Carlsbad, CA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/US97/08793 05/22/1997
--PCT/US97/08793 is a CIP of 08/051,572, filed 05/22/1996--

Foreign Applications

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Endoglucanases

Preliminary Class

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12. If a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).